



Washington State Department of Agriculture News Release

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WSDA issues fines for pesticide-use violations for 3rd Quarter

OLYMPIA – The Washington State Department of Agriculture (WSDA) issued fines totaling \$13,325 and imposed license suspensions during the third quarter of 2011 for violations of state pesticide laws and rules. Fines ranged from \$200 to \$3,575 for incidents that occurred in Adams, Benton, Douglas, Franklin, Pierce and Skagit counties.

Among the concluded cases were incidents involving the careless storage and disposal of pesticides at a golf course, pesticide drift that damaged residential landscapes and agricultural crops, and a faulty home inspection for evidence of wood destroying organisms. WSDA completed investigations and issued fines or license suspensions as follows:

Craig Smith, Air Ag LLC, Warden. WSDA alleged that in May 2010, a herbicide application made by Smith to a winter wheat field in Adams County drifted onto a neighboring residence and damaged the ornamental landscape. The matter was resolved when Smith agreed to pay \$3,575 and accept a two-day license suspension.

Jose Valdez, Ram Ag Services, Inc., Othello. WSDA alleged that in April 2010, a herbicide application made by Valdez to a timothy hay field north of Pasco drifted and damaged an adjacent green pea crop. The matter was resolved when Valdez agreed to pay \$350 and accept a five-day license suspension.

Coastal Farm and Ranch Big R, East Wenatchee. After a WSDA inspection in July 2011, the store was fined \$1,800 for selling commercial grade pesticides without a pesticide dealer license, and for selling restricted-use pesticides to unlicensed persons.

Shawn Lipp, Apple Land Pest Control and Home Inspections, Inc., East Wenatchee. WSDA alleged that in January through March 2011, the company operated without the proper licenses to make pesticide applications. He also conducted wood-destroying organism inspections for real estate transactions without a structural pest inspector license. The matter was resolved when Lipp agreed to pay \$2,000 and accept a 10-day suspension of his licenses.

Gerald Iverson, The Home Inspectors, Puyallup. WSDA alleged that in January 2010, Iverson conducted an inadequate wood destroying organism inspection and report on a house in Tacoma. The matter was resolved when Iverson agreed to pay \$200 and surrender his structural pest inspector license for five years.

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Eaglemont Golf Club, Mount Vernon, was fined \$900. A WSDA inspection in May 2011 revealed that pesticides were stored and handled in a manner that endangered employees. Inspectors found numerous pesticide containers and bags that were deteriorated, torn and spilled on the floor. The agency's Waste Pesticide Program staff cleaned up the storage area and safely disposed of over 1,500 pounds of unusable pesticides.

While conducting inspections at farms for compliance with Worker Protection Standards (WPS) for pesticides, WSDA staff found common problem areas. In most cases agricultural employers had failed to provide adequate decontamination supplies or ensure that employees are using personal protective equipment such as chemical-resistant gloves and eyewear when necessary. In some cases, employers failed to display adequate pesticide safety information on central notification boards or adequate emergency medical care facility information. Training on pesticide safety was also insufficient at times.

Fines related to WPS inspections conducted this past spring or summer were issued to:

- Badger Mountain Vineyards, LLC, Kennewick, \$900
- Baker Produce, Inc., Kennewick, \$1,000
- Kelth Orchards, Kennewick, \$2,600

Penalty matrix used by WSDA to levy fines and suspensions

A penalty matrix is used to ensure penalties are uniform and fair. The matrix takes into account the seriousness of the violation, whether it is a first or a repeat offense, and whether there are any aggravating or mitigating factors involved. Larger penalties often reflect repeat offenses or multiple violations within the same incident.

WSDA enforces state and federal laws to protect people, property and the environment against the improper use of pesticides. Staff also provides technical assistance to the pesticide industry and consumers, and enforces the rules on structural inspections for wood destroying organisms, such as wood rot, carpenter ants or termites. The agency registers more than 11,000 pesticide products, licenses about 22,000 pesticide applicators, dealers, consultants and structural pest inspectors.

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